1944

File No. O Non. Agrl. Loans Act/44

Legal Department—

~~A~~ **BRANCH**

Subject:—

Opinions under the Non Agriculturist's Loans Act, 1928

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File No. O Non. Agril. Loans Act/44

Gen. 194 e.

554. A

C O N T E N T S

Legal Department File No.O. Non Agrl. Loans Act 1944

Sr. No.	R. I. / O. No.	Subject	Pages.
	O. Non Agrl Loans Act /44	Opinions under the non Agriculturists Loans Act, 1928	
1.	8211 22-11-44	Govt. can appoint any person. to exercise the powers or to perform the duties of Collector Prant Officer, Dy. Collector Mamlatdar etc.	1-3

Mjr 10/7

5 Cs.

i-11

R.I.L.D..No. 9149
dated, 27-10-1944.

Submitted.

2. Please see R.D. notes at page 11-12 ante. The Commar, C.D. in para 3 of his letter, at page 9 ante, points out that under Government of Bombay, None Agriculturst's loans Rules, 1930 the power to grant tagai under the Act has been delegated to mamlatdars and specially authorised Aval Karkums but not to Mahalkaris and that it is necessary that the Mahalkaria should also have this power delegated to them. He therefore requests Government to amend this rule suitably. The joint Secretary R.D. considers that it is not necessary to amend rule 8 for under rule 13 Government can, by a general order appoint any person to exercise the powers and perform the the duties of the Mamlatdar, and it will therefore be sufficient if such a general order is passed enabling Mahalkaris to exefcise the powers and performs the duties of the Mamlatdar. The R.L.A. is requested to advise whether this would be i order.

3. Rule 8 of the Bombay Non-Agriculturists' loans Rules 1930, empowers the Collectors, Prant Officers, Distri Deputy Collectors, Mamlatdars or Mukhtiarkars, Aval Karkuns specially authorised, to grant loans under the Act to the extent specified against each of them in the table thereund Rule 13 provides that for the purpose of these rules Gover. nment may by general or special order, appoint any person to exercise the powers or to perform the duties of a Collector, Prant Officer or Deputy Collector, Mamlatdar or Mukhtiarkar, or Aval Karkun. Under this rule general order by Government appointing Mahalkaris to exercise the powers and perform the duties of the Mamlatdars would be in order The view taken by the Joint Secretary R.D. in para 2 of hi note, at page 11-12 ante is correct

Sd/- P.S. Nadmarni 16/11

S.A.S. I agree. Reply may be A- A.

Sd/- R.T.K.
17/11

A.L.R. Sd/- 17/11

Office of the H6664.

Seen and returned

2. The view taken by the Joint Secretary, R.D. in para 2 of his note, at pages 11-12 ante is correct.

Sd/- P.N.Moos
2/11/44

o.c.

Remembrancer of Legal Affairs.

U.R. to R.D., No. 8211
dated the 22nd November 1944.

Mjr/10/8
4 Cs.